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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

E.K. WADE,)	Consolidated Case No. C 08-00001 EDL
)	
Plaintiff,)	JOINT STIPULATION AND
)	[PROPOSED] ORDER TO EXTEND
v.)	THE EXPERT DISCOVERY CUT-OFF
)	
ELAINE CHAO, SECRETARY OF)	
LABOR, ET AL.)	
)	
Defendant.)	
)	
)	

WHEREAS, on October 3, 2008, the Honorable Magistrate Judge Elizabeth Laporte issued a Case Management and Pretrial Order for Jury Trial (“Case Management Order”);

WHEREAS, the Case Management Order sets the expert discovery cut-off for February 9, 2009;

WHEREAS, plaintiff E.K. Wade (Pro se) and the defendant Elaine Chao, Secretary of Labor, by and through her counsel (collectively the “parties”) have determined that they will not be able to complete expert disclosures prior to January 9, 2009, in part due to an unforeseeable delay in the production of medical records by a third-party, and therefore on December 30, 2009 agreed to extend the time to provide expert disclosures to February 23, 2009;

WHEREAS the parties also agreed to allow for rebuttal experts by March 2, 2009 and the close of expert discovery to March 13, 2009; and

WHEREAS the parties also request that the last date to set a dispositive motion hearing be

1 moved from April 14, 2009 to April 28, 2009 in light of the extension of the expert discovery
2 dates and to request an order providing the same;

3 ACCORDINGLY, it is hereby agreed by the parties, E.K. Wade and defendant Elaine
4 Chao, Secretary of Labor, by and through her counsel, to extend the time to provide expert
5 disclosures to February 23, 2009 and rebuttal experts by March 2, 2009 and the close of expert
6 discovery to March 13, 2009. And the parties request that the last date to set a dispositive motion
7 hearing be moved to April 28, 2009.

8 So Stipulated.

9
10 DATED: January 16, 2009

Respectfully submitted,

11 JOSEPH P. RUSSONIELLO

12 United States Attorney

13 /s

14 _____
15 MELISSA K. BROWN
Assistant United States Attorney

16
17
18 Dated: January 16, 2009

/s

19 _____
E.K. WADE
Pro Se Plaintiff

~~PROPOSED~~ ORDER

Pursuant to the stipulation of the parties, the expert disclosure deadline is moved to February 23, 2009 and the rebuttal deadline is moved to March 2, 2009 and the expert discovery cut-off is March 13, 2009. And the last date to set a dispositive motion hearing is now April 28, 2009.

IT IS SO ORDERED

Dated: January 20, 2009

